

FACT SHEET

Hospital/Medical/Infectious Waste Incinerators: Proposed Amendments to the Federal Plan to Implement Standards of Performance for Existing Facilities and Proposed Amendments to the New Source Performance Standards

ACTION

- On March 28, 2012, the U.S. Environmental Protection Agency (EPA) proposed amendments to the federal plan implementing the emission guidelines for existing hospital, medical and infectious waste incinerators (HMIWI) issued on October 6, 2009. The federal plan would apply to HMIWI where construction began on or before December 1, 2008, or where modifications began on or before April 6, 2010.
- The proposed amendments to the HMIWI federal plan include:
 - Revised applicability provisions
 - Tighter emissions limits for all regulated pollutants
 - Visible emissions limit for ash handling operations
 - Revised waste management plan provisions
 - Annual inspections of emissions control devices
 - Additional testing, monitoring, recordkeeping and reporting requirements
 - One-time visible emissions test of ash handling operations
 - Procedures for test data submittal
 - Schedule for compliance with amended federal plan
 - Revised Title V permit provisions
 - Revised/new definitions
 - Additional delegation of authority provisions
- The amended federal plan would implement the revised emission guidelines (EG) for HMIWI located in states that have not submitted an acceptable revised/new state plan to the EPA. The amended federal plan would apply until individual states have approved revised/new plans of their own in effect.
- After revised/new state plans and the amended federal plan for existing HMIWI become effective, emissions from these incinerators will drop significantly. Key emission reductions will include:
 - mercury by 89 percent
 - hydrogen chloride by 85 percent,
 - lead by 74 percent, and
 - dioxin/furans by 68 percent.
- The EPA is also proposing amendments to the New Source Performance Standards (NSPS) for new HMIWI. The proposed amendments would eliminate a remaining exemption to emission limits and standards during periods of startup, shutdown, and

malfunction to ensure the standards are consistent with the District of Columbia Circuit Court's vacatur of similar provisions in other rules.

- EPA will accept comments on today's action for 45 days following publication of the proposed rule in the Federal Register.

BACKGROUND

- The EPA promulgated EG to reduce emissions from existing HMIWI on September 15, 1997. In response to a court remand, the EPA issued revised EG on October 6, 2009. Within 1 year of promulgation of the EG, the Clean Air Act (CAA) requires states with existing HMIWI to submit implementation plans to the EPA. These plans specify how the state will implement and enforce the HMIWI EG. State plans to implement the 1997 EG are already in place and revised or new state plans to implement the 2009 revised EG were due October 6, 2010.
- Within 2 years of promulgation of the EG, the CAA requires the EPA to develop, implement and enforce a federal plan for existing HMIWI in any state that has not submitted an approvable plan to the EPA. This federal plan implements and enforces the revised emissions limits and other requirements for HMIWI in states that do not develop approvable plans.
- The EPA adopted a HMIWI federal plan on August 15, 2000, to implement the 1997 EG. Today's action proposes amendments to the HMIWI federal plan to implement the 2009 revised EG for those states that do not have an approved revised/new state plan in place by October 6, 2011. The federal plan, as amended, contains the same elements that state plans are required to contain, including source and emissions inventories, emission limits, testing, monitoring and reporting requirements, as well as compliance schedules that include milestones for progress.

HOW TO COMMENT

- The EPA will accept comment on the proposed amendments for 45 days following publication in the Federal Register.
- Comments on the federal plan requirements proposed rule, identified by Docket ID No. EPA-HQ-OAR-2011-0405, by one of the following methods:
 - www.regulations.gov: Follow the online instructions for submitting comments.
 - Email: Send your comments via electronic mail to a-and-r-Docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2011-0405.

- Facsimile: Fax your comments to (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2011-0405.
- Mail: Send your comments to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Mailcode 6102T, 1200 Pennsylvania Ave., NW, Washington, DC 20460, Attention Docket ID No. EPA-HQ-OAR-2011-0405. Please include a total of two copies. We request that a separate copy also be sent to the contact person identified below (see FOR FURTHER INFORMATION CONTACT).
- Hand Delivery: Deliver your comments to: EPA Docket Center (EPA/DC), EPA West Building, Room 3334, 1301 Constitution Ave., NW, Washington, DC, 20004, Attention Docket ID No. EPA-HQ-OAR-2011-0405. Such deliveries are accepted only during the normal hours of operation (8:30 a.m. to 4:30 p.m., Monday through Friday, excluding legal holidays) and special arrangements should be made for deliveries of boxed information.
- Comments on the NSPS proposed rule amendment, identified by Docket ID No. EPA-HQ-OAR-2006-0534, by one of the following methods:
 - www.regulations.gov: Follow the online instructions for submitting comments.
 - Email: Send your comments via electronic mail to a-and-r-Docket@epa.gov, Attention Docket ID No. EPA-HQ-OAR-2006-0534.
 - Facsimile: Fax your comments to (202) 566-9744, Attention Docket ID No. EPA-HQ-OAR-2006-0534.
 - Mail: Send your comments to: EPA Docket Center (EPA/DC), Environmental Protection Agency, Mailcode 6102T, 1200 Pennsylvania Ave., NW, Washington, DC 20460, Attention Docket ID No. EPA-HQ-OAR-2006-0534. Please include a total of two copies. We request that a separate copy also be sent to the contact person identified below (see FOR FURTHER INFORMATION CONTACT).
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FOR MORE INFORMATION

- Interested parties can download the proposed action from the EPA's website at the following address: www.epa.gov/ttn/oarpg/t3pfpr.html.

- Today's proposed rule and other background information are also available either electronically at <http://www.regulations.gov>, the EPA's electronic public docket and comment system, or in hardcopy at the EPA Docket Center's Public Reading Room.
 - The Public Reading Room is located in the EPA Headquarters Library, Room Number 3334 in the EPA West Building, located at 1301 Constitution Ave., NW, Washington, DC. Hours of operation are 8:30 a.m. to 4:30 p.m. eastern standard time, Monday through Friday, excluding federal holidays.
 - Visitors are required to show photographic identification, pass through a metal detector, and sign the EPA visitor log. All visitor materials will be processed through an X-ray machine as well. Visitors will be provided a badge that must be visible at all times.
 - Materials for this proposed action can be accessed using Docket ID No. EPA-HQ-OAR-2011-0405 and EPA-HQ-OAR-2006-0534.
- For further information about the proposed action, contact Ms. Amy Hambrick of the EPA's Office of Air Quality Planning and Standards, Sector Policies and Programs Division, Fuels and Incineration Group at (919) 541-0964, or by email at hambrick.amy@epa.gov.